



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

**RUDY KOLESSER,**

Plaintiff,

**v.**

**CAPITAL ACCOUNTS, LLC,**

Defendant.

**Civil Action No.: 3:15-cv-01123**

**PLAINTIFF'S MOTION TO  
ADJOURN THE INITIAL CASE  
MANAGEMENT CONFERENCE,  
AND THE CORRESPONDING  
FILING DEADLINE**

Rudy Kolessar ("Plaintiff"), by and through his counsel, respectfully requests an adjournment of the Initial Case Management Conference, presently scheduled for January 11, 2016 at 3:00 p.m., and the corresponding filing deadline. See Dkt. No. 3. In support of this Motion, Plaintiff states the following:

1. On October 26, 2015, Plaintiff initiated this action by filing a complaint against Capital Accounts, LLC ("Defendant") for its alleged violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* ("FDCPA"). See Dkt. No. 1.

2. On October 26, 2015, this Honorable Court issued an Order setting the Initial Case Management Conference for January 11, 2016 at 3:00 p.m., and the proposed case management order deadline for January 6, 2016. See Dkt. No. 3.

3. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, Plaintiff is permitted 120 days<sup>1</sup> after the complaint is filed to effectuate service on a defendant. Fed. R. Civ. P. 4(m). Therefore, the deadline for effectuating service of process in this matter is February 23, 2016.

<sup>1</sup> This matter was filed prior to the December 1, 2015 change to the Federal Rules of Civil Procedure.